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August 7, 2020

BY ECF

Honorable Edgardo Ramos
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

MEMO ENDORSED

at page 3.

Re: Torres v. City of New York, et al., 19 Civ. 6332 (ER)

Your Honor:

I am the attorney in the office of James E. Johnson, Corporation Counsel of the City of New York, assigned to the above referenced matter.¹ The City of New York respectfully requests that the Court enlarge the time for defendant City to respond to the Court's February 7, 2020 *Valentin* Order by an additional thirty (30) days due to delays in receiving necessary documents from relevant agencies.

By way of background, plaintiff Wilfredo Torres, proceeding *pro se*, describes in his Amended Complaint a number of incidents which he alleges are part of a "domestic assassinations program" carried out conjunctively by the Central Intelligence Agency, the Federal Bureau of Investigation, and the New York City Police Department ("NYPD"). See Civil Docket Sheet Entry No. 12. On February 7, 2020, the Court ordered this Office to identify the NYPD officers who allegedly arrested plaintiff and transported him to the NYPD's 13th Precinct, Bellevue Hospital, or a state court on or about February 27–28, 2019. See Civil Docket Sheet Entry No. 14. The Court further ordered this Office to identify "a physician employed at Bellevue who, on February 27, 2019, examined Plaintiff at Bellevue." *Id.*

On April 10, 2020, the Court enlarged the time for defendant City, then an Interested Party, to respond to the *Valentin* Order until June 8, 2020. See Civil Docket Sheet Entry No. 18.

¹ Please take further notice that this case is assigned to Assistant Corporation Counsel Jessica C. Engle, who is presently awaiting admission to the Southern District of New York and is handling this matter under my supervision. Ms. Engle may be reached directly at jengle@law.nyc.gov.

On June 8, 2020, defendant City respectfully requested an additional enlargement of time to respond to the *Valentin* Order inasmuch as it pertained to the John Doe Police Officers due to ongoing difficulties and delays resulting from the COVID-19 pandemic. *See* Civil Docket Sheet Entry No. 27. Defendant City also requested that it be relieved of an obligation to identify the John Doe Doctor in light of plaintiff's failure to provide the medical authorizations necessary to obtaining information about plaintiff's medical treatment and providers. *See id.* On June 9, 2020, the Court granted defendant's request in full, and enlarged defendant City's time to identify the John Doe Police Officers by sixty (60) days while relieving defendant City of the obligation to identify the John Doe Doctor. *See* Civil Docket Sheet Entry No. 28.

However, on June 23, 2020, plaintiff wrote to the Court, and represented willingness to execute and return the previously requested medical authorizations to defendant City. *See* Civil Docket Sheet Entry No. 33. Accordingly, the Court ordered defendant City to identify the John Doe Doctor upon receipt of the authorizations by August 7, 2020, and to identify the other John Doe defendants by that same date. *See* Civil Docket Sheet Entry No. 34.

On June 17, 2020, after close of business, plaintiff emailed a copy of a completed medical authorization form to defendant City. Accordingly, defendant City forwarded that authorization form with requests for plaintiff's medical records, which would presumably containing identifying information about the John Doe Doctor, to Bellevue Hospital.

Regrettably, despite defendant City's efforts, defendant has yet to receive documents identifying the John Doe Doctor. After investigating this delay, defendant City was informed by Bellevue Hospital that they cannot locate the previously sent request, and that a new request must be sent via mail, as Bellevue Hospital is not accepting document requests electronically. Defendant City has already re-submitted its request to Bellevue Hospital, and has impressed upon Bellevue Hospital the urgency of this matter. However, to date, defendant City is still awaiting a response with records.

Additionally, although defendant City has received some documents from the New York City Police Department ("NYPD") pertaining to this matter, due to a clerical oversight, those documents only provided information about one of the other incidents alleged in plaintiff's Amended Complaint, and not about the alleged incident involving the John Doe Police Officers. Defendant is currently still in the process of obtaining documents specifically pertaining to the identities of the John Doe Police Officers, however, defendant has taken steps to expedite this request so as to avoid any further delay.

Defendant City apologizes for this delay, and respectfully requests that the Court grant an additional thirty (30) days for defendant to identify the John Doe defendants, or until September 7, 2020. Of course, should defendant City be able to obtain the requested documentations and identify the individuals before that date, defendant City will do so.

Thank you for your consideration.

Respectfully submitted,

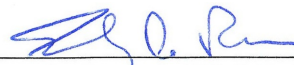
Carolyn K. Depoian /S/

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cc: **BY E-MAIL**
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The City's request for an extension of the time to respond to the Court's Valentin Order, Doc. 14, until September 7, 2020 is granted. The Court directs the City, however, that no further extension will be granted without good cause shown.

It is SO ORDERED.



Edgardo Ramos, U.S.D.J
Dated: 8/7/2020
New York, New York

Copies Mailed to Plaintiff
Chambers of Edgardo Ramos